

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICK L. COLYER, et al.,

Plaintiffs,

v.

ACELRX PHARMACEUTICALS, INC., et
al.,

Defendants.

Case No. 14-CV-04416-LHK

**ORDER DISMISSING CASE WITH
PREJUDICE**

On November 25, 2015, the Court issued an order granting Defendants’ motion to dismiss Plaintiffs’ First Amended Complaint with leave to amend. ECF No. 62. This Order stated that, “[s]hould Plaintiffs elect to file an amended complaint . . . , Plaintiffs shall do so within 30 days of the date of this Order. Failure to meet the 30 day deadline to file an amended complaint . . . will result in a dismissal with prejudice.” *Id.* at 27–28. On December 8, 2015, the parties filed a stipulation requesting an extension of this 30 day deadline. ECF No. 63. Specifically, the parties agreed that Plaintiffs would file a “Second Amended Complaint on or before January 7, 2016,” and that Defendants would file a response “to the Second Amended Complaint on or before February 4, 2016.” *Id.* at 3. The Court granted the parties’ stipulation on December 8, 2015. ECF No. 64.

2